

§ 635.33

Chief of Staff of the Army will be coordinated and cleared with HQDA, Office of the Provost Marshal General (DAPM-MPD-LE). Correspondence and reports will be coordinated with HQDA, Office of the Provost Marshal General (DAPM-MPD-LE) prior to release to any agency, activity, or individual.

(c) HQDA staff agencies and MACOMs authorized by regulation or statute to conduct independent investigations, audits, analyses, or inquiries need not coordinate reported information with HQDA, Office of the Provost Marshal General (DAPM-MPD-LE) unless the information contains crime data for the Army as a whole. For example, reports submitted by USACIDC containing only USACIDC investigative data need not be coordinated with HQDA, Office of the Provost Marshal General (DAPM-MPD-LE).

[69 FR 75246, Dec. 16, 2004. Redesignated at 71 FR 27961, May 15, 2006]

§ 635.33 Crime rate reporting.

(a) The USACRC is the Army's collection point and analytic center for all Army aggregate crime data. Requests for Army-wide crime data reports will be forwarded through HQDA, Office of the Provost Marshal General (DAPM-MPD-LE) to the Director, USACRC. Replies will be routed back through HQDA Office of the Provost Marshal General (DAPM-MPD-LE) where they will be coordinated, as appropriate, prior to release. Requests for USACIDC, MACOM, or subordinate command specific crime data reports can be made directly to the specific command. Replies need not be coordinated with HQDA.

(b) Requests for Army aggregate crime reports are limited to data collected and accessible through the Automated Criminal Investigative Reporting System (ACIRS) and COPS.

(c) Routine collection of MACOM crime data, for use in Army-wide database, will be limited to that data collected by the above systems. MACOMs may determine internal data collection requirements.

(d) All provost marshal crime data will be recorded and forwarded by installations through MACOMS using the COPS system.

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(e) In support of the Secretary Of the Army and the Office of the Chief of Staff of the Army, the Chief, Operations Division, Office of the Provost Marshal General, will determine the requirements for routine publication of Army aggregate crime statistics.

(f) Normally, raw data will not be released without analysis on routine or non-routine requests. Comparison of MACOM crime data is generally not reported and should be avoided. General categories of CONUS or OCONUS are appropriate.

[69 FR 75246, Dec. 16, 2004. Redesignated at 71 FR 27961, May 15, 2006]

Subpart E—Victim and Witness Assistance Procedures

§ 635.34 General.

(a) This subpart implements procedures to provide assistance to victims and witnesses of crimes that take place on Army installations and activities. The procedures in this subpart apply to—

(1) Every victim and witness.

(2) Violations of the UCMJ, including crimes assimilated under the Assimilative Crimes Act reported to or investigated by military police.

(3) Foreign nationals employed or visiting on an Army installation OCONUS.

(b) Provost marshal personnel should refer to AR 27-10, chapter 18, for additional policy guidance on the Army Victim/Witness Program.

[69 FR 75246, Dec. 16, 2004. Redesignated at 71 FR 27961, May 15, 2006]

§ 635.35 Procedures.

(a) As required by Federal law, Army personnel involved in the detection, investigation, and prosecution of crimes must ensure that victims and witnesses rights are protected. Victims rights include—

(1) The right to be treated with fairness, dignity, and a respect for privacy.

(2) The right to be reasonably protected from the accused offender.

(3) The right to be notified of court proceedings.

(4) The right to be present at all public court proceedings related to the offense, unless the court determines that